

**Town of Charlton
Saratoga County
Town Board Agenda Meeting**

January 23, 2017

The Agenda Meeting of the Town Board of the Town of Charlton, Saratoga County, New York was held at the Charlton Town Hall, 758 Charlton Rd, Charlton, NY and called to order by Supervisor Grattidge at 7:44 p.m. to set the agenda for the February 13th meeting.

Present: Councilman Gay, Councilman Grasso, Councilman Heritage, Councilman Hodgkins, Supervisor Grattidge, Town Clerk Brenda Mills, Attorney Van Vranken.

RESOLUTION # 55

Abstract of Claims

Motion by Councilman Gay

Seconded by Councilman Heritage

BE IT RESOLVED that the Town Board has approved the payment of bills as presented in Abstract #102, voucher numbers 26 - 57, in the amount of \$361,440.60, and Abstract #1, voucher number 1001 and 1002 in the amount of \$189,849.71.

Vote: All Ayes, No Nays. **CARRIED.**

RESOLUTION # 56

Approval of Minutes

Motion by Councilman Heritage

Seconded by Councilman Gay

BE IT RESOLVED that the Town Board has approved the Public Hearing Minutes from January 9, 2017.

Vote: All Ayes, No Nays. **CARRIED.**

RESOLUTION # 57

Approval of Minutes

Motion by Councilman Grasso

Seconded by Councilman Heritage

BE IT RESOLVED that the Town Board has approved the Town Board Meeting Minutes from January 9, 2017.

Vote: All Ayes, No Nays. **CARRIED.**

DISCUSSION

The Sales Tax report for the month was \$108,821.00 and the Mortgage Tax was \$13,227.00.

Discussion ensued regarding the Verizon Cell Tower project. Supervisor Grattidge asked the Board to identify issues that they would like Verizon to address. Town Engineer Mike McNamara has given the Town Board a report that identifies several items that need to be addressed. Mr. McNamara will contact Verizon.

Councilman Hodgkins said he had issues with the balloon test results, what they showed and where pictures were taken from. He would like to see another balloon test done with Board members present so that they can go to various resident's locations on Jockey Street and Maple Avenue and see what residents would see.

Supervisor Grattidge said for the record that the Town Board has received written correspondence from the following: petition from Staci Wilson and others against water tank location, letters from Stephan Strait, Eileen Stone, Julianne Mayer, Larry Leone and Jan Houlihan against the 764 Charlton Road site.

Councilman Gay said he had trouble seeing the balloon on the viewshed photos. He feels the Board needs to look at the Town's Zoning Ordinance and the entire section on cell towers. He met with the Charlton Historic District and they said that they did not have materials about the project to look at. He asked the Town Clerk to send them information. He feels the project is still in a state of indecision, one week one way, the next week the other way. He encouraged people to send their comments to the Town Board. He said someone suggested a public referendum on the subject, and that might be a good way to go.

Councilman Heritage asked if something other than a balloon could be used for the visual impact that would show what the tower would look like closer to the ground. Councilman Grasso said that they can superimpose a tower over the balloon photo. Another option would be something like a crane. Councilman Heritage asked if the same coverage would occur if moved to the 764 Charlton Road site. The Supervisor said that Verizon had identified 4 properties that would work to provide the needed coverage, and this is one of the four.

Councilman Heritage said he has not heard Verizon offer camouflaging of the tower. The Supervisor said we can ask for it, and the Town Engineer said that our legislation requires it.

Attorney Van Vranken said that he sent the Board members information regarding how to process cell tower applications. He suggested that the Board ask Verizon for information as to how they will comply with our zoning. Attorney Van Vranken will draft the letter to Verizon.

Councilman Grasso read his comments:

- I'd like to commend residents for speaking at the recent public hearing, including both those in favor of location and those against the proposed location of a cell tower at 764 Charlton Road. I'd also like to commend those that wrote in comments and took part in the petition against the previously proposed antennae on the Charlton water tower.
- The public hearings over the past year regarding two different sites has provided a lot of public feedback, and I'd like to commend the applicant for providing a lot of quality information on both sites in order for the Town Board to make an appropriate decision. Although the water tower site is currently not under consideration, I think have information on multiple sites allows us to be more comfortable with our decision-making.
- I understand the need to consider the use of existing tall structures, including water tower site, but there are many other factors that need to be considered when choosing an appropriate location for a cell site.
- I'm also very cognizant of the historic nature and rural viewsheds of the Town, specifically including those from the historic district, but with the 764 Charlton Road site I don't think there will be a significant visual impact on those qualities with the new tower location.
- The location and views toward the base station at the cell site is also very important. Understanding each carrier has their own base station, there is a likelihood there could be two or three base stations. On the 764 Charlton Road site the base station will be totally screened from view. On the water tower site, it would be very visible to the neighborhood.
- I don't see any substantiated health impacts from the antennas and trust those to state and federal agencies, but I do consider the potential from ice falling from the antennas. I don't see any potential impact with the 764 Charlton Road site, but there would be a concern with ice falling at the water tower site.

- Regarding noise from the stand-by generators, knowing that each carrier will have their own generator, I don't see any potential noise impacts at the 764 Charlton Road site due to the significant separation distances from any noise receptors.
- I believe having a red light on top of the antennae would cause visual impact at night, but the applicant has confirmed a light would not be required at the 764 Charlton Road site. This is in contrast to the water tower site in which the existing red light would need to be raised to the top of the antennas, which would then cause its own visual impact.
- I consider the lack of revenue generation to the Town or water district a factor, but not as important a factor as other items mentioned.
- I agree with one of the commenters at the last public hearing that the photo simulations presented during the public hearing were not a very good reflection of the visibility of the 764 Charlton Road site, but I do think the representations included in the Town Engineer's comment letter were very good and helpful in understanding the visual impacts. I believe the cell tower at the 764 Charlton Road site will have some visual impacts, but believe the level of impact is less than any other alternative sites that would provide similar coverage, including the water tower site. There is no question the cell tower at the Charlton Road site will be visible from some properties along Maple Avenue and I'm very sensitive to those concerns.
- It is important to note that I drove the areas roads for an hour along with the Town engineer and Town supervisor during the balloon test and based on that, I have a very good sense as to where the cell tower on Charlton Road site would be visible from and where it would not be visible from. I believe the previously proposed antennas on the water tower would be much more visible than the Charlton Road site when viewed from the Historic District.
- When looking at various siting criteria including current coverage gap area, topography, maximum tower heights and distance from roads, I believe the alternative sites considered by Verizon are comprehensive enough and demonstrate sufficient due diligence in searching for the best site for a new cell tower.
- I'm appreciative of the Full Environmental Assessment Form provided in the application materials and together with the Visual EAF Addendum, it does a good job describing the environmental setting and the potential impacts associated with the cell tower application.

Based on the above, I remain supportive of the Exceptional Use Permit for a cell tower at 764 Charlton Road. That said, I have the following questions and comments for Verizon:

- Understanding that the top of the tower is above the treeline when viewed from some vantage points, does tower need to be at 120'? And how does coverage change if tower was at 110', or 100'.
- Understanding that the top portion of the tower will be silhouetted against the sky from some vantage points, can the top 50' of the tower and any tower mounted equipment be painted white or sky blue to minimize aesthetic impacts?
- I've reviewed the SEQR EAF and I have some questions and clarifications on some of the responses to part 1. I will forward my questions to the applicant for follow-up.

In summary, I recommend we withhold making a SEQR determination and taking action on the Exceptional Use Permit application until we get clarification on the above items.

Councilman Hodgkins asked Councilman Grasso if it is true that consideration of the water tank location has been suspended. Councilman Grasso said in terms of the process, the Town has not received an application of the water tank.

Councilman Hodgkins suggested using a drone to take pictures from the proposed site of the tower which could incorporate all of the surrounding areas.

Supervisor Grattidge said that the next step is to be in communication with Dave Brennan to have some of the issues addressed.

MOTIONS, RESOLUTIONS AND AUTHORIZATIONS

RESOLUTION #58

A Resolution authorizing the Charlton Republican Committee to use the Community Center

Motion by Councilman Heritage

Seconded by Councilman Gay

BE IT RESOLVED that the Town Board hereby authorizes the Charlton Republican Committee to use the Community Center on the 2nd Thursday of each month at 7 p.m. for the year 2017.

Roll Call Vote: Councilman Gay: Aye, Councilman Grasso: Aye, Councilman Heritage: Aye, Councilman Hodgkins: Aye, Supervisor Grattidge: Aye. **CARRIED**

RESOLUTION #59

A Resolution adopting the Town of Charlton Workplace Violence Prevention and Incident Reporting Policy

Motion by Councilman Grasso

Seconded by Councilman Heritage

Roll Call Vote: Councilman Gay: Aye, Councilman Grasso: Aye, Councilman Heritage: Aye, Councilman Hodgkins: Aye, Supervisor Grattidge: Aye. **CARRIED**

TOWN OF CHARLTON
COUNTY OF SARATOGA
STATE OF NEW YORK

RESOLUTION NO. 59

January 23, 2017

**A RESOLUTION ADOPTING THE TOWN OF CHARLTON
WORKPLACE VIOLENCE PREVENTION AND INCIDENT
REPORTING POLICY**

WHEREAS, the Town Board of the Town of Charlton is committed to the safety and security of all Town employees, including the implementation of policies concerning workplace violence, guidelines and procedures for filing complaints, and

WHEREAS, attached to this resolution is a policy designed to meet the requirements of New York State Labor Law Sec. 27(b), the goal of which is to promote the safety and well being of all employees and persons involved with the Town of Charlton workplace.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Town Board hereby adopts the attached Workplace Violence Prevention Policy and Incident Reporting, which includes the Town of Charlton Workplace Violence Policy, procedures for filing any complaints related to the policy and the Complaint Form of Workplace Violence, and

BE IT FURTHER RESOLVED, that this policy and incident reporting procedures shall take effect immediately with respect to the employees of the Town of Charlton.

Moved by	Councilman Grasso	Voting:	Councilman Gay	Aye
			Councilman Grasso	Aye
Seconded by	Councilman Heritage		Councilman Heritage	Aye
			Councilman Hodgkins	Aye
			Supervisor Grattidge	Aye

I certify that this is a true and exact copy of this original as passed by the Town Board of the Town of Charlton on

Dated: January 23, 2017

Brenda Mills, Town Clerk

RESOLUTION #60

A Resolution authorizing an increase in the rate to be charged to Town of Charlton Water District Customers

Motion by Councilman Gay
Seconded by Councilman Hodgkins

Discussion: Supervisor Grattidge said that the only items changed were the rate per thousand gallons which increased to \$3.65 from \$3.40, and the minimum usage charge was lowered to \$75.00 for those residents using less than 20,548 gallons.

Roll Call Vote: Councilman Gay: Aye, Councilman Grasso: Aye, Councilman Heritage: Aye, Councilman Hodgkins: Aye, Supervisor Grattidge: Aye. **CARRIED**

TOWN OF CHARLTON
COUNTY OF SARATOGA
STATE OF NEW YORK

RESOLUTION NO. 60

January 23, 2017

**A RESOLUTION AUTHORIZING AN INCREASE IN THE RATE
TO BE CHARGED TO TOWN OF CHARLTON
WATER DISTRICT CUSTOMERS**

WHEREAS, attached to this resolution and made a part hereof as if more fully set forth herein is a document entitled "Charlton Water District Rates Schedule", which is intended to set forth new rates with respect to public water system usage in the Town of Charlton on a go forward basis commencing June 1, 2017, and

WHEREAS, the Town Board of the Town of Charlton has determined that in order to properly manage the financial resources of the public water system of the Town of Charlton and in order to meet all Water District expenditures required for efficient operation of said Water District, it is necessary to increase the Water District rate per thousand gallons of usage from \$3.40 per thousand to \$3.65 per thousand and as shown on the attached new schedule.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Charlton acting in its capacity as Commissioners of the Town of Charlton Water District hereby approves a rate increase from \$3.40 per thousand gallons of water used to \$3.65 per thousand gallons of water used commencing June 1, 2017 and continuing until further amendments are made to the Water District Rate Schedule attached hereto and made a part hereof, and which rate schedule includes water usage rates, minimum usage amounts, equipment, service charges and fees.

Moved by	Councilman Gay	Voting:	Councilman Gay	Aye
			Councilman Grasso	Aye
Seconded by	Councilman Hodgkins		Councilman Heritage	Aye
			Councilman Hodgkins	Aye
			Supervisor Grattidge	Aye

I certify that this is a true and exact copy of this original as passed by the Town Board of the Town of Charlton on

Dated: January 23, 2017

Brenda Mills, Town Clerk

RESOLUTION # 61

A Resolution authorizing the Highway Superintendent to sign the Shared Services Agreement with the NYSDOT

Motion by Councilman Grasso
Seconded by Councilman Heritage

BE IT RESOLVED that the Town Board hereby authorizes the Highway Superintendent to sign that 2017 Shared Services Agreement with the New York State Department of Transportation.

Roll Call Vote: Councilman Gay: Aye, Councilman Grasso: Aye, Councilman Heritage: Aye, Councilman Hodgkins: Aye, Supervisor Grattidge: Aye. **CARRIED**

RESOLUTION #62

A Resolution to designate the Town Supervisor to attend the annual Association of Towns Meeting and to cast his votes for the Town.

Motion by Councilman Gay
Seconded by Councilman Hodgkins

BE IT RESOLVED that the Town Board hereby designates Supervisor Grattidge to attend the 2017 Association of Towns Meeting in February and to cast his vote on behalf of the Town.

Roll Call Vote: Councilman Gay: Aye, Councilman Grasso: Aye, Councilman Heritage: Aye, Councilman Hodgkins: Aye, Supervisor Grattidge: Aye. **CARRIED**

RESOLUTION #63

A Resolution to authorize Constable Tom Parks to purchase 2 communication packages and 1 bulletproof vest

Motion by Councilman Heritage

Seconded by Councilman Grasso

BE IT RESOLVED that the Town Board hereby authorizes Constable Tom Parks to purchase 2 communication packages for the 2 Charlton Police cars from Brite at a cost of \$1,740.00, and one bulletproof vest from Galls for Gregory Parks at a cost of \$844.00.

Roll Call Vote: Councilman Gay: Aye, Councilman Grasso: Aye, Councilman Heritage: Aye, Councilman Hodgkins: Aye, Supervisor Grattidge: Aye. **CARRIED**

Supervisor Grattidge said that the smoke detectors heads at the Town Hall have become obsolete. Several have had to be replaced already, but they no longer make them. He was able to order all the remaining heads (eight) that our supplier had but the bill has not come yet. At some point all of the smoke detectors will have be replaced and it will be a costly project.

RESOLUTION #64

A Resolution to make the Town Board the lead agent for the Stewart's EUP application.

Motion by Councilman Grasso

Seconded by Councilman Hodgkins

Discussion: Attorney Van Vranken said that there was a request for a joint workshop, however he recommends that each Board have separate meetings and make their own decisions. The ZBA may have 6 variances to make decisions on. They would take their own vote and report it back to the Town Board.

BE IT RESOLVED that the Town Board hereby be assigned as lead agent for the Stewart's Shop Exceptional Use Permit application.

Roll Call Vote: Councilman Gay: Aye, Councilman Grasso: Aye, Councilman Heritage: Aye, Councilman Hodgkins: Aye, Supervisor Grattidge: Aye. **CARRIED**

The Meeting adjourned at 8:32 p.m.

Respectfully submitted,

Brenda Mills
Town Clerk